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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/754,553
Filing Date: January 04, 2001
Appellant(s): COBBLEY ET AL.

TROP, PRUNER & HU, P.C.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 08/02/04.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the

pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims 1-2, 5-8, 11-14, 17-29, and 3-4, 9-10, 15-16 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

6359572	Vale	3-2002
6230170	Zellweger et al.	5-2001

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-5, 7-11, 13-17, and 18-19are rejected under 35 U.S.C. 103 (a) as being anticipated by Vale (U.S. Pat. No. 6,359,572) in view of Zellweger et al. ("Zellweger", U.S. Pat. No. 6,230,170).

Per claim 1, Vale teaches a method comprising: displaying a data entry area and a keyboard image on a user interface (figs. 5-7; data entry area 68; col. 5, lines 35-50; the examiner considers the data entry area as the area 68 comprising "Seattle, WA", "Tokyo", the date selection arrow, and the images of the clocks representing the data entered by the user), but does not teach moving the data entry area on said user interface to display said keyboard image. However, Zellweger teaches adding more data to the display and moving the data in area 150 of fig 13 in order to accommodate area 158 of fig. 14 without obstructing any displayed data (figs. 13 and 14; col. 2, lines 29-39 and lines 49-50; col. 11, lines 13-29 and col. 12, lines 33-38). Therefore, one of ordinary skill in the art at the time of the invention would be motivated to incorporate this feature into Vale because in Vale the images of the clocks are removed from the display. It would be desirable to be able to keep them on the display. For example shrinking, compressing, or repositioning the image area (also taught by Zellweger, see col. 2, lines 29-39 and lines 49-50) would affect this.

Per claim 2, Zellweger teaches the method of claim 1 including moving a data entry area on said interface to enable an unobstructed view of said keyboard image and said data entry areas (figs. 9-12; col. 11, lines 13-29).

Per claim 3, Zellweger teaches the method of claim 1 including searching for coding associated with data entry areas to identify the location of a data entry area (col. 11, line 22-col. 12, lines 32; col. 13, lines 8-19).

Per claim 4, Zellweger teaches the method of claim 3 including searching for characteristic coding of a web page (col. 13, line 8- col. 14, line 20).

Per claim 5, Zellweger the method of claim 1 including moving data from the location where a keyboard image is to be positioned and positioning said data at another location on said interface (figs. 9-12, and 23-24; col. 11, lines 13-29; col. 13, lines 8-20).

Claims 7-11 are rejected under the same rationale as claims 1-5 respectively.

Claims 13-17 are rejected under the same rationale as claims 1-5 respectively.

Per claim 18, Vale teaches the system of claim 13 further including a touch-screen coupled to the processor (col. 3, lines 10-15).

Per claim 19, Zellweger teaches the system of claim 13 wherein said storage stores instructions to determine whether the image will obscure the data entry area and, if so, to move the data entry area (col. 11, line 40- col. 12, lines 30).

Claims 6, 12, and 20 are rejected under 35 U.S.C. 103(a) as being anticipated by Vale (U.S. Pat. No. 6,359,572) in view of Zellweger et al. ("Zellweger", U.S. Pat. No. 6,230,170) and further in view of Kobayashi (U.S. Pat. No. 6,424,359).

Per claim 6, Vale and Zellweger teaches the method of claim 1, but does not teaches the method including scrolling the data entry area to prevent the data entry area from being obscured by the keyboard image. However, Kobayshi teaches the method including scrolling the data

entry area to prevent the data entry area from being obscured by the keyboard image (fig. 7A-7D; col. 1, lines 40-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the method as taught by Kobayshi in the invention of Kanevsky and Vale in order users to scroll the screen effectively to display content that are not fully displayed within a window.

Claim 12 is rejected under the same rationale as claim 6.

Claim 20 is rejected under the same rationale as claim 6.

*(11) **Response to Argument***

Appellant's primary argument is that Vale and Zellweger do not teach displaying a keyboard image on a user interface and moving a data entry area on said interface to display said keyboard image. The examiner does not agree because Vale teaches displaying a data entry area and a keyboard image on a user interface (figs. 5-7; data entry area 68; col. 5, lines 35-50; the examiner considers the data entry area as the area 68 comprising "Seattle, WA", "Tokyo", the date selection arrow, and the images of the clocks representing the data entered by the user), but does not teach moving the data entry area on said user interface to display said keyboard image. However, Zellweger teaches adding more data to the display and moving the data in area 150 of fig 13 in order to accommodate area 158 of fig. 14 without obstructing any displayed data (figs. 13 and 14; col. 2, lines 29-39 and lines 49-50; col. 11, lines 13-29 and col. 12, lines 33-38). Therefore, one of ordinary skill in the art at the time of the invention would be motivated to incorporate this feature into Vale because in Vale, the images of the clocks are removed from the display. It would be desirable to be able to keep them on the display. For example shrinking,

compressing, or repositioning the image area (also taught by Zellweger, see col. 2, lines 29-39 and lines 49-50) would affect this.

In addition the appellant also argues that Vale and Zellweger do not teach searching for coding associated with data entry areas to identify the location of a data entry area. The examiner does not agree because Vale teaches a data entry area (figs. 5-7; data entry area 68; col. 5, lines 35-50; the examiner considers the data entry area as the area 68 comprising "Seattle, WA", "Tokyo", the date selection arrow, and the images of the clocks representing the data entered by the user). And Zellweger teaches searching for coding associated with data areas to identify location of a data area (col. 11, lines 40-54; col. 11, line 55- col. 12, line 3).

Accordingly, the claimed invention as represented in the claim does not represent a patentable distinction over the prior art of record.

For the above reason, it is believed that the rejections should be sustained.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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